

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B-1319-WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/053017	International filing date (<i>day/month/year</i>) 19.11.2004	Priority date (<i>day/month/year</i>) 19.12.2003
International Patent Classification (IPC) or national classification and IPC B29C49/68		
Applicant SIDEL PARTICIPATIONS		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input checked="" type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-11 as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-10 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>2-4, 6, 7</u>	YES
		Claims <u>1, 5, 8-10</u>	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-10</u>	NO
	Industrial applicability (IA)	Claims <u>1-10</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	Reference is made to the following documents:		
	D1: US-A-6 632 087		
	D2: US-A-5 980 229		
	D3: US-A-5 322 651		
	1. The application relates to a parison heating module and a parison heating furnace comprising a plurality of said heating modules aligned so as to form a tunnel.		
	2. D1 is considered to be the prior art closest to the subject matter of claims 1 and 10.		
	3. The document in question discloses the following features (the references between parentheses apply to said document):		
	<ul style="list-style-type: none"> - a parison heating module comprising a longitudinal heating tunnel that is delimited transversely by the mutually parallel longitudinal vertical internal surfaces of two walls (see figure); - a first heating wall is provided with a heating system, the other ventilated wall comprises ventilating ports for enabling the air blown by at least one blower from upstream, outside the heating tunnel, to pass transversely downstream, inside (see figure); - and in which a first portion of the parison is heated in the heating tunnel, whereas the second 		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>portion of the parison is maintained outside the heating tunnel through a longitudinal opening provided between the longitudinal edges of the walls of the heating tunnel; the blower comprises a longitudinal deflector that deviates a portion of the blown air transversely towards the second portion of the parison so as to prevent the temperature of the material constituting said lower portion from rising to the softening point thereof (see figure, elements 13, 14 and 15; column 4, line 18 to column 6, line 37);</p> <p>- the upstream end of the deflector is aerodynamically profiled (see figure, element 15: the deflector is not just a straight barrier but has an aerodynamic profile of which the function is to direct the blown air in a precise manner). Consequently, the subject matter of claim 1 is not novel (PCT Article 33(2)).</p> <p>4. Taking D1 into account, the additional features set forth in claims 5 and 8 to 10 are already known. The subject matter of said claims is therefore not novel (PCT Article 33(2)).</p> <p>5. Taking D1, D2 (see figure 3; column 5, lines 31 to 50) and D3 (see figure 1; column 3, line 32) into account, the features set forth in claims 2 to 4, 6 and 7 are a routine step for a person skilled in the art. Consequently, the subject matter of said claims does not involve an inventive step (PCT Article 33(3)).</p> <p>6. The subject matter of claims 1 to 10 is industrially applicable (PCT Article 33(4)).</p>

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Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

1. Contrary to the requirement of PCT Rule 5.1(a)(ii), the relevant prior art disclosed in D1 to D3 has not been indicated in the description, nor have said documents been cited.